

**9-805. Fugitive complaint.**

*[For use with Magistrate Court Rule 6-810 NMRA and  
Metropolitan Court Rule 7-810 NMRA]*

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

STATE OF NEW MEXICO

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

**FUGITIVE COMPLAINT**

The State of New Mexico alleges that the above-named defendant is subject to extradition  
from this state to the State of \_\_\_\_\_.

*(check applicable alternative)*

☐ The defendant is charged in the State of \_\_\_\_\_ with the crime of  
\_\_\_\_\_.

☐ The defendant has been convicted in the above state of the crime of  
\_\_\_\_\_ and has

☐ escaped from confinement.

☐ violated terms of release or bail.

☐ violated terms of probation.

☐ violated terms of parole.

The reason I believe that the defendant is the person identified in the fugitive warrant is:

*(check all that apply)*

- ☐ a copy of an NCIC message, teletype, warrant, indictment, information, affidavit, judgment of conviction or sentence so indicating is attached.
- ☐ the mode of transportation of the defendant.
- ☐ the physical description of the defendant.
- ☐ the date of birth of the defendant.
- ☐ the name of the defendant.
- ☐ Other: \_\_\_\_\_

*(set forth other aspects showing that the defendant is the person sought in the other state)*

The crime with which the defendant was charged or convicted is punishable in the above state by death or by imprisonment of more than one year.

The defendant was arrested on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ [a.m.] [p.m.] and is confined in the \_\_\_\_\_ [county] [city] jail.

**I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THIS FUGITIVE COMPLAINT IS TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A FUGITIVE COMPLAINT.**

Date \_\_\_\_\_

\_\_\_\_\_  
Officer's signature

---

Title

**USE NOTE**

*This form may be used only if the defendant is charged with a felony. If the defendant is charged with a misdemeanor a complaint and arrest warrant must be used.*

[Adopted, effective October 1, 1996.]